

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BRUNO CASATELLI, D.P.M., and NORTH
JERSEY CENTER FOR SURGERY, P.A.,

Plaintiffs,

v.

HORIZON BLUE CROSS BLUE SHIELD
OF NEW JERSEY, JOHN AND JANE
DOES I-X, and ABC CORPORATIONS I-X,

Defendants.

Civil Action No. 2:09-cv-6101
(SDW) (MCA)

ORDER

September 13, 2010

Before the Court is Defendant Horizon Blue Cross Blue Shield of New Jersey's ("Horizon") Motion to Dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)6. This Court has jurisdiction pursuant to 28 U.S.C. § 1331. Venue is proper pursuant to 28 U.S.C. § 1391. This Court, having considered the parties' submissions, decides this matter without oral argument pursuant to Fed. R. Civ. P. 78.

For the reasons set forth in this Court's Opinion of September 13, 2010,

It is on this 13th day of 2010,

ORDERED that Horizon's Motion to Dismiss the Complaint is GRANTED without prejudice.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk
Cc: Madeline Cox Arleo, U.S.M.J.
Parties